

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO:

CINDY J.M. BURR and
MICHAEL J. BURR

Plaintiffs,

v.

Civil Action No. 2:19-cv-00648
Judge Goodwin

ETHICON, INC. and
JOHNSON & JOHNSON,

Defendants.

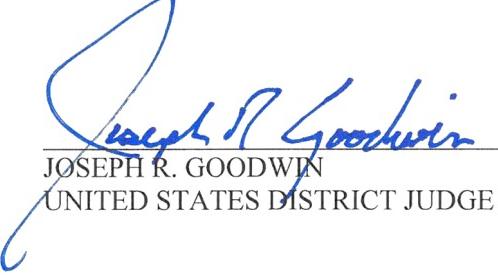
MEMORANDUM OPINION AND ORDER

On September 10, 2019, the plaintiffs directly filed a Short Form Complaint in this court despite Pretrial Order (“PTO”) # 304 ordering that “plaintiffs may no longer direct file claims against Ethicon, Inc. or Johnson & Johnson in the Ethicon MDL (as set forth in PTO #118) or in any other pelvic mesh MDL assigned to the court[.]” *See In re: Ethicon, Inc. Pelvic Repair Sys. Prods. Liab. Litig.*, 2:12-md-2327 (“MDL 2327”) filed on June 21, 2018 [ECF # 6033]. On June 20, 2018, the Judicial Panel on Multidistrict Litigation entered a Minute Order Suspending Rule 7.1(a), requiring notification to the Clerk of the Panel of potential tag-along actions. *Id* at ECF # 6031. Both orders effectively disallow the direct filing or transfer of any new actions in MDL 2327. If plaintiffs wish to proceed, they must file the action in the appropriate jurisdiction.

The court **ORDERS** that this civil action be **DISMISSED WITHOUT PREJUDICE** and **STRICKEN** from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: September 11, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE